

07/03/01
1c904 U.S. PTO

07-05-01

#3/A
enw
8/28/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on **July 3, 2001** in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EF414168642US**, addressed to the Assistant Commissioner of Patents, Washington, DC 20231.

JRB
Jay R Beyer

Attorney Docket No.: **DCI-15C2**

First Named Inventor:

John Mercer

J1040 U.S. PTO
09/898989
07/03/01

EF 414168642 US

UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR § 1.53(b))
(Continuation, Divisional or Continuation-in-part application)

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

☒ Duplicate for
fee processing

This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:
John E. Mercer

For: **BORING TOOL CONTROL USING REMOTE LOCATOR**

This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part of prior Application No. **09/562,503** filed on **May 1, 2000** which is a continuation of Application No. **09/066,964**, filed on **April 27, 1998** and now issued as Patent No. **6,079,506** on **June 27, 2000**, from which priority under 35 U.S.C. §120 is claimed.

Application Elements:

- ☒ **28** Pages of Specification, Claims and Abstract
- ☒ **5** Sheets of **formal** Drawings
- ☒ Declaration
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional). The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
 - ☐ Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

Accompanying Application Parts:

- ✓ ☒ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- ☐ Power of Attorney
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☒ Information Disclosure Statement with Forms PTO-892 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
- ☒ Return Receipt Postcard
- ☒ Small Entity Status still proper and desired.
- ☐ Other:

Claim For Foreign Priority

- ☐ Priority of _____ Application No. _____ filed on _____ is claimed under 35 U.S.C. § 119.
- ☐ The certified copy has been filed in prior application U.S. Application No. _____
- ☐ The certified copy will follow.

Extension of Time for Prior Pending Application

A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

☒ Amend the specification by inserting before the first line the sentence: "This is a

☒ Continuation ☐ Continuation-in-part ☐ Divisional
application of copending prior

☒ Application No. **09/562,503** filed on **May 1, 2000** which is a continuation of Application No. **09/066,964**, filed on **April 27, 1998** and now issued as Patent No. **6,079,506** on **June 27, 2000**,

☐ International Application _____ filed on _____ which designated the United States,
the disclosures of which are incorporated herein by reference."

☒ Cancel in this application original claims **2-38** of the prior application before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

NO. FILED	(Col. 1)	(Col. 2)	SMALL ENTITY		OR	LARGE ENTITY	
	NO. EXTRA		RATE	FEE		RATE	FEE
BASIC FEE				\$355	\$355	OR	\$710 \$
TOTAL CLAIMS	<u>48</u>	-20 =	<u>28</u>	x9 =	\$252	OR	x18 = \$
INDEP CLAIMS	<u>6</u>	-03 =	<u>3</u>	x40 =	\$120	OR	x80 = \$
[] Multiple Dependent Claim Presented				\$135	= \$	OR	\$270 = \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.				Total	\$727	OR	Total \$

☒ Check No. 3348 in the amount of \$767.00 to cover the Application fee and the Assignment Recordation fee is enclosed.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 19-1685 (Order No. DCI-15C2).

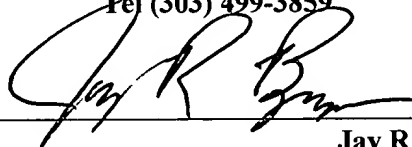
General Authorization for Petition for Extension of Time (37 CFR §1.136)

☐ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed.

☒ Please send correspondence to the following address: Customer Number 21833

Jay R Beyer
Boulder Patent Services
1021 Gapter Road
Boulder, CO 80303-2924
Tel (303) 499-3859

Date: July 3, 2001



Jay R Beyer
Registration No. 39,907